

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, State Bar number, and address): <b>YOUR NAME</b> <b>YOUR ADDRESS</b>  TELEPHONE NO.: <b>YOUR PHONE #</b> FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): <b>IN PRO PER</b>	<b>FOR COURT USE ONLY</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF SANTA CLARA</b> STREET ADDRESS: <b>191 NORTH FIRST STREET</b> MAILING ADDRESS: <b>191 NORTH FIRST STREET</b> CITY AND ZIP CODE: <b>SAN JOSE, CA 95113</b> BRANCH NAME: <b>CIVIL</b>	
PLAINTIFF/PETITIONER: <b>YOUR NAME</b>  DEFENDANT/RESPONDENT: <b>NAME OF THE PERSON(S) YOU SUED</b>	
<b>REQUEST FOR</b> <input checked="" type="checkbox"/> <b>Entry of Default</b> <input type="checkbox"/> <b>Clerk's Judgment</b> <b>(Application)</b> <input type="checkbox"/> <b>Court Judgment</b>	CASE NUMBER: <b>YOUR CASE NUMBER</b>

1. TO THE CLERK: On the complaint or cross-complaint filed  
 a. on (date): **DATE YOU FILED YOUR COMPLAINT**  
 b. by (name): **YOUR NAME**  
 c.  Enter default of defendant (names): **NAME OF THE PERSON(S) YOU SUED**

d.  I request a court judgment under Code of Civil Procedure sections 585(b), 585(c), 989, etc., against defendant (names):  
**NAME OF THE PERSON(S) YOU SUED**

(Testimony required. Apply to the clerk for a hearing.) **CHECK WITH SELF HELP ATTORNEY ABOUT WHETHER YOU SHOULD CHECK THIS BOX.** Affidavit under Code Civ. Proc., § 585(d.)

- e.  Enter clerk's judgment
- (1)  for restitution of the premises only and **CHECK THIS BOX.** Procedure section 1174(c) does not apply. (Code Civ. Proc., § 1169.)
- Include in the judgment all tenants, subtenants, named claimants, and other occupants of the premises. The Prejudgment Claim of Right to Possession was served in compliance with Code of Civil Procedure section 415.46.
- (2)  under Code of Civil Procedure section 585(a). (Complete the declaration under Code Civ. Proc., § 585.5 on the reverse (item 5).)
- (3)  for default previously entered (date):

2. Judgment to be entered.
- a. Demand of complaint . . . . .
- b. Statement of damages \*  
 (1) Special . . . . .  
 (2) General . . . . .
- c. Interest . . . . .
- d. Costs (see reverse) . . . . .
- e. Attorney fees . . . . .
- f. **TOTALS** . . . . . \$ \_\_\_\_\_ \$ \_\_\_\_\_

**AMOUNT OF \$ YOU ASKED FOR IN YOUR COMPLAINT**

**IF YOU PAID A PROCESS SERVER AND COURT FEES, INCLUDE HERE AND ON NEXT PAGE**

\$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_

**LET COURT KNOW IF DEFENDANT PAID ANYTHING, AND PUT THE BALANCE HERE.**

g. **Daily damages** were demanded in complaint at the rate of: \$ \_\_\_\_\_ per day beginning (date): \_\_\_\_\_

(\* Personal injury or wrongful death actions; Code Civ. Proc., § 425.11.)

3.  (Check if filed in an unlawful detainer case) **Legal document assistant or unlawful detainer** on the reverse (complete item 4).

**INCLUDE TOTALS FOR EACH COLUMN**

Date: **TODAY'S DATE**

**PRINT YOUR NAME** \_\_\_\_\_ **SIGN YOUR NAME** \_\_\_\_\_  
 (PRINT NAME) (SIGNATURE OF PLAINTIFF OR ATTORNEY FOR PLAINTIFF)

<b>FOR COURT USE ONLY</b>	(1) <input type="checkbox"/> Default entered as requested on (date): (2) <input type="checkbox"/> Default NOT entered as requested (state reason):	Clerk, by: _____, Deputy
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PLAINTIFF/PETITIONER: YOUR NAME	CASE NUMBER: YOUR CASE NUMBER
DEFENDANT/RESPONDENT: NAME OF THE PERSON(S) YOU SUED	

4. **Legal document assistant or unlawful detainer assistant (Bus. & Prof. Code, § 6400 et seq.).** A legal document assistant or unlawful detainer assistant  did  did not for compensation give advice or assistance with this form. (If declarant has received **any** help or advice for pay from a legal document assistant or unlawful detainer assistant, state):

- |  |                            |
|--|----------------------------|
| a. Assistant's name:                   | c. Telephone no.:          |
| b. Street address, city, and zip code: | d. County of registration: |
|  | e. Registration no.:       |
|  | f. Expires on (date):      |

5.  **Declaration under Code of Civil Procedure Section 585.5** (required for entry of default under Code Civ. Proc., § 585(a)). This action

- a.  is  is not on a contract or installment sale for goods or services subject to Civ. Code, § 1801 et seq. (Unruh Act).  
 b.  is  is not on a conditional sales contract subject to Civ. Code, § 2981 et seq. (Rees-Levering Motor Vehicle Sales and Finance Act).  
 c.  is  is not on an obligation for goods, services, loans, or extensions of credit subject to Code Civ. Proc., § 395(b).

6. **Declaration of mailing (Code Civ. Proc., § 587).** A copy of this Request for Entry of Default was

- a.  **not mailed** to the following defendants, whose addresses are **unknown** to plaintiff or plaintiff's attorney (names):
- b.  **mailed** first-class, postage prepaid, in a sealed envelope addressed to each defendant's attorney of record or, if none, to each defendant's last known address as follows:
- (1) Mailed on (date):
- (2) To (specify names and addresses shown on the envelopes):  
 NAME OF EACH DEFENDANT  
 LAST KNOWN ADDRESS FOR EACH DEFENDANT

I declare under penalty of perjury that I am the declarant and that I am the owner of the property in the State of California that the foregoing items 4, 5, and 6 are true and correct.

Date: DATE YOUR SERVER SIGNS ▶ YOUR SERVER SIGNS HERE

YOUR SERVER PRINTS HERE (SIGNATURE OF DECLARANT)

7. **Memorandum of costs** (required if money judgment requested). Costs and disbursements are as follows (Code Civ. Proc., § 1033.5):

- |                                    |    |  |
|------------------------------------|----|--|
| a. Clerk's filing fees . . . . .   | \$ | <b>IF YOU PAID COURT FILING FEES AND/OR PAID A PROCESS SERVER TO SERVE THE COMPLAINT, FILL OUT THIS SECTION.</b> |
| b. Process server's fees . . . . . | \$ |  |
| c. Other (specify): . . . . .      | \$ |  |
| d. . . . .                         | \$ |  |
| e. <b>TOTAL</b> . . . . .          | \$ |  |
- f.  Costs and disbursements are waived.  
 g. I am the attorney, agent, or party who claims these costs. To the best of my knowledge and belief this memorandum of costs is correct and these costs were necessarily incurred in this case.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: TODAY'S DATE ▶ SIGN YOUR NAME

PRINT YOUR NAME (SIGNATURE OF DECLARANT)

8.  **Declaration of nonmilitary status** (required for a judgment). No defendant named in item 1c of the application is in the military service so as to be entitled to the benefits of the Servicemembers Civil Relief Act (50 U.S.C. App. § 501 et seq.).

**CHECK THIS BOX ONLY IF THE DEFENDANT IS NOT IN THE MILITARY.**

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date: TODAY'S DATE ▶ SIGN YOUR NAME

PRINT YOUR NAME (SIGNATURE OF DECLARANT)

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address): <b>YOUR NAME</b> <b>YOUR ADDRESS</b>  TELEPHONE NO.: <b>YOUR PHONE #</b> FAX NO. (Optional): E-MAIL ADDRESS (Optional): ATTORNEY FOR (Name): <b>IN PRO PER</b>	<b>FOR COURT USE ONLY</b>
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PLAINTIFF: <b>YOUR NAME</b>  DEFENDANT: <b>NAME OF THE PERSON(S) YOU SUED</b>	
<div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> <b>By Clerk</b>  <input checked="" type="checkbox"/> <b>By Court</b> </div> <div> <input checked="" type="checkbox"/> <b>By Default</b>  <input type="checkbox"/> <b>On Stipulation</b> </div> <div> <input type="checkbox"/> <b>After Court Trial</b>  <input type="checkbox"/> <b>Defendant Did Not Appear at Trial</b> </div> </div>	CASE NUMBER:  <b>CASE NUMBER</b>

**JUDGMENT**

1.  **BY DEFAULT**

- a. Defendant was properly served with a copy of the summons and complaint.
- b. Defendant failed to answer the complaint or appear and defend the action within the time allowed by law.
- c. Defendant's default was entered by the clerk upon plaintiff's application.
- d.  **Clerk's Judgment** (Code Civ. Proc., § 585(a)). Defendant was sued only on a contract or judgment of a court of this state for the recovery of money.
- e.  **Court Judgment** (Code Civ. Proc., § 585(b)). The court considered
  - (1)  plaintiff's testimony and other evidence.
  - (2)  plaintiff's written declaration (Code Civ. Proc., § 585(d)).

2.  **ON STIPULATION**

- a. Plaintiff and defendant agreed (stipulated) that a judgment be entered in this case. The court approved the stipulated judgment and
- b.  the signed written stipulation was filed in the case.
- c.  the stipulation was stated in open court       the stipulation was stated on the record.

3.  **AFTER COURT TRIAL.** The jury was waived. The court considered the evidence.

- a. The case was tried on (date and time):  
before (name of judicial officer):
- b. Appearances by:
 

<input type="checkbox"/> Plaintiff (name each):	<input type="checkbox"/> Plaintiff's attorney (name each):
(1)	(1)
(2)	(2)
<input type="checkbox"/> Continued on Attachment 3b.	
<input type="checkbox"/> Defendant (name each):	<input type="checkbox"/> Defendant's attorney (name each):
(1)	(1)
(2)	(2)
<input type="checkbox"/> Continued on Attachment 3b.	
- c.  Defendant did not appear at trial. Defendant was properly served with notice of trial.
- d.  A statement of decision (Code Civ. Proc., § 632)       was not       was      requested.

